

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 117
HOUSE BILL 2813

AN ACT

AMENDING SECTIONS 28-101, 28-661, 28-662, 28-663, 28-664, 28-665, 28-666, 28-907, 28-909, 28-941, 28-956, 28-957, 28-957.01, 28-966, 28-2157 AND 28-3315, ARIZONA REVISED STATUTES; AMENDING TITLE 28, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 31; RELATING TO MOTOR VEHICLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-101, Arizona Revised Statutes, is amended to
3 read:

4 28-101. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Alcohol" means any substance containing any form of alcohol,
7 including ethanol, methanol, propynol and isopropynol.

8 2. "Alcohol concentration" if expressed as a percentage means
9 either:

10 (a) The number of grams of alcohol per one hundred milliliters of
11 blood.

12 (b) The number of grams of alcohol per two hundred ten liters of
13 breath.

14 3. "All-terrain vehicle" means either of the following:

15 (a) A motor vehicle that satisfies all of the following:

16 (i) Is designed primarily for recreational nonhighway all-terrain
17 travel.

18 (ii) Is fifty or fewer inches in width.

19 (iii) Has an unladen weight of one thousand two hundred pounds or
20 less.

21 (iv) Travels on three or more nonhighway tires.

22 (v) Is operated on a public highway.

23 (b) A recreational off-highway vehicle that satisfies all of the
24 following:

25 (i) Is designed primarily for recreational nonhighway all-terrain
26 travel.

27 (ii) Is eighty or fewer inches in width.

28 (iii) Has an unladen weight of two thousand five hundred pounds or
29 less.

30 (iv) Travels on four or more nonhighway tires.

31 (v) Has a steering wheel for steering control.

32 (vi) Has a rollover protective structure.

33 (vii) Has an occupant retention system.

34 4. "Authorized emergency vehicle" means any of the following:

35 (a) A fire department vehicle.

36 (b) A police vehicle.

37 (c) An ambulance or emergency vehicle of a municipal department or
38 public service corporation that is designated or authorized by the
39 department or a local authority.

40 (d) Any other ambulance, fire truck or rescue vehicle that is
41 authorized by the department in its sole discretion and that meets
42 liability insurance requirements prescribed by the department.

43 5. "Autocycle" means a three-wheeled motorcycle on which the driver
44 and passengers ride in a fully or partially enclosed seating area that is
45 equipped with a roll cage, safety belts for each occupant and antilock

1 brakes and that is designed to be controlled with a steering wheel and
2 pedals.

3 ~~6.~~ "AUTOMATED DRIVING SYSTEM" MEANS THE HARDWARE AND SOFTWARE THAT
4 ARE COLLECTIVELY CAPABLE OF PERFORMING THE ENTIRE DYNAMIC DRIVING TASK ON
5 A SUSTAINED BASIS, REGARDLESS OF WHETHER IT IS LIMITED TO A SPECIFIC
6 OPERATIONAL DESIGN DOMAIN.

7 ~~7.~~ "Automotive recycler" means a person that is engaged in the
8 business of buying or acquiring a motor vehicle solely for the purpose of
9 dismantling, selling or otherwise disposing of the parts or accessories
10 and that removes parts for resale from six or more vehicles in a calendar
11 year.

12 ~~8.~~ "AUTONOMOUS VEHICLE" MEANS A MOTOR VEHICLE THAT IS EQUIPPED WITH
13 AN AUTOMATED DRIVING SYSTEM.

14 ~~9.~~ "Aviation fuel" means all flammable liquids composed of a
15 mixture of selected hydrocarbons expressly manufactured and blended for
16 the purpose of effectively and efficiently operating an internal
17 combustion engine for use in an aircraft but does not include fuel for jet
18 or turbine powered aircraft.

19 ~~10.~~ "Bicycle" means a device, including a racing wheelchair,
20 that is propelled by human power and on which a person may ride and that
21 has either:

22 (a) Two tandem wheels, either of which is more than sixteen inches
23 in diameter.

24 (b) Three wheels in contact with the ground, any of which is more
25 than sixteen inches in diameter.

26 ~~11.~~ "Board" means the transportation board.

27 ~~12.~~ "Bus" means a motor vehicle designed for carrying sixteen
28 or more passengers, including the driver.

29 ~~13.~~ "Business district" means the territory contiguous to and
30 including a highway if there are buildings in use for business or
31 industrial purposes within any six hundred feet along the highway,
32 including hotels, banks or office buildings, railroad stations and public
33 buildings that occupy at least three hundred feet of frontage on one side
34 or three hundred feet collectively on both sides of the highway.

35 ~~14.~~ "Certificate of ownership" means a paper or an electronic
36 record that is issued in another state or a foreign jurisdiction and that
37 indicates ownership of a vehicle.

38 ~~15.~~ "Certificate of title" means a paper document or an
39 electronic record that is issued by the department and that indicates
40 ownership of a vehicle.

41 ~~16.~~ "Combination of vehicles" means a truck or truck tractor
42 and semitrailer and any trailer that it tows but does not include a
43 forklift designed for the purpose of loading or unloading the truck,
44 trailer or semitrailer.

- 1 ~~15.~~ 17. "Controlled substance" means a substance so classified
2 under section 102(6) of the controlled substances act (21 United States
3 Code section 802(6)) and includes all substances listed in schedules I
4 through V of 21 Code of Federal Regulations part 1308.
- 5 ~~16.~~ 18. "Conviction" means:
6 (a) An unvacated adjudication of guilt or a determination that a
7 person violated or failed to comply with the law in a court of original
8 jurisdiction or by an authorized administrative tribunal.
9 (b) An unvacated forfeiture of bail or collateral deposited to
10 secure the person's appearance in court.
11 (c) A plea of guilty or no contest accepted by the court.
12 (d) The payment of a fine or court costs.
- 13 ~~17.~~ 19. "County highway" means a public road that is constructed
14 and maintained by a county.
- 15 ~~18.~~ 20. "Dealer" means a person who is engaged in the business of
16 buying, selling or exchanging motor vehicles, trailers or semitrailers and
17 who has an established place of business and has paid fees pursuant to
18 section 28-4302.
- 19 ~~19.~~ 21. "Department" means the department of transportation acting
20 directly or through its duly authorized officers and agents.
- 21 ~~20.~~ 22. "Digital network or software application" has the same
22 meaning prescribed in section 28-9551.
- 23 ~~21.~~ 23. "Director" means the director of the department of
24 transportation.
- 25 ~~22.~~ 24. "Drive" means to operate or be in actual physical control
26 of a motor vehicle.
- 27 ~~23.~~ 25. "Driver" means a person who drives or is in actual
28 physical control of a vehicle.
- 29 ~~24.~~ 26. "Driver license" means a license that is issued by a state
30 to an individual and that authorizes the individual to drive a motor
31 vehicle.
- 32 27. "DYNAMIC DRIVING TASK":
33 (a) MEANS ALL OF THE REAL-TIME OPERATIONAL AND TACTICAL FUNCTIONS
34 REQUIRED TO OPERATE A VEHICLE IN ON-ROAD TRAFFIC.
35 (b) INCLUDES:
36 (i) LATERAL VEHICLE MOTION CONTROL BY STEERING.
37 (ii) LONGITUDINAL MOTION CONTROL BY ACCELERATION AND DECELERATION.
38 (iii) MONITORING THE DRIVING ENVIRONMENT BY OBJECT AND EVENT
39 DETECTION, RECOGNITION, CLASSIFICATION AND RESPONSE PREPARATION.
40 (iv) OBJECT AND EVENT RESPONSE EXECUTION.
41 (v) MANEUVER PLANNING.
42 (vi) ENHANCING CONSPICUITY BY LIGHTING, SIGNALING AND GESTURING.
43 (c) DOES NOT INCLUDE STRATEGIC FUNCTIONS SUCH AS TRIP SCHEDULING
44 AND SELECTION OF DESTINATIONS AND WAYPOINTS.

1 ~~25.~~ 28. "Electric bicycle" means a bicycle or tricycle that is
2 equipped with fully operable pedals and an electric motor of less than
3 seven hundred fifty watts and that meets the requirements of one of the
4 following classes:

5 (a) "Class 1 electric bicycle" means a bicycle or tricycle that is
6 equipped with an electric motor that provides assistance only when the
7 rider is pedaling and that ceases to provide assistance when the bicycle
8 or tricycle reaches the speed of twenty miles per hour.

9 (b) "Class 2 electric bicycle" means a bicycle or tricycle that is
10 equipped with an electric motor that may be used exclusively to propel the
11 bicycle or tricycle and that is not capable of providing assistance when
12 the bicycle or tricycle reaches the speed of twenty miles per hour.

13 (c) "Class 3 electric bicycle" means a bicycle or tricycle that is
14 equipped with an electric motor that provides assistance only when the
15 rider is pedaling and that ceases to provide assistance when the bicycle
16 or tricycle reaches the speed of twenty-eight miles per hour.

17 ~~26.~~ 29. "Electric miniature scooter" means a device that:

- 18 (a) Weighs less than thirty pounds.
19 (b) Has two or three wheels.
20 (c) Has handlebars.
21 (d) Has a floorboard on which a person may stand while riding.
22 (e) Is powered by an electric motor or human power, or both.
23 (f) Has a maximum speed that does not exceed ten miles per hour,
24 with or without human propulsion, on a paved level surface.

25 ~~27.~~ 30. "Electric personal assistive mobility device" means a
26 self-balancing device with one wheel or two nontandem wheels and an
27 electric propulsion system that limits the maximum speed of the device to
28 fifteen miles per hour or less and that is designed to transport only one
29 person.

30 ~~28.~~ 31. "Electric standup scooter":

- 31 (a) Means a device that:
32 (i) Weighs less than seventy-five pounds.
33 (ii) Has two or three wheels.
34 (iii) Has handlebars.
35 (iv) Has a floorboard on which a person may stand while riding.
36 (v) Is powered by an electric motor or human power, or both.
37 (vi) Has a maximum speed that does not exceed twenty miles per
38 hour, with or without human propulsion, on a paved level surface.

39 (b) Does not include an electric miniature scooter.

40 ~~29.~~ 32. "Evidence" includes both of the following:

- 41 (a) A display on a wireless communication device of a
42 department-generated driver license, nonoperating identification license,
43 vehicle registration card or other official record of the department that
44 is presented to a law enforcement officer or in a court or an
45 administrative proceeding.

1 (b) An electronic or digital license plate authorized pursuant to
2 section 28-364.

3 ~~30.~~ 33. "Farm" means any lands primarily used for agriculture
4 production.

5 ~~31.~~ 34. "Farm tractor" means a motor vehicle designed and used
6 primarily as a farm implement for drawing implements of husbandry.

7 ~~32.~~ 35. "Foreign vehicle" means a motor vehicle, trailer or
8 semitrailer that is brought into this state other than in the ordinary
9 course of business by or through a manufacturer or dealer and that has not
10 been registered in this state.

11 36. "FULLY AUTONOMOUS VEHICLE" MEANS AN AUTONOMOUS VEHICLE THAT IS
12 EQUIPPED WITH AN AUTOMATED DRIVING SYSTEM DESIGNED TO FUNCTION AS A LEVEL
13 FOUR OR FIVE SYSTEM UNDER SAE J3016 AND THAT MAY BE DESIGNED TO FUNCTION
14 EITHER:

15 (a) SOLELY BY USE OF THE AUTOMATED DRIVING SYSTEM.

16 (b) BY A HUMAN DRIVER WHEN THE AUTOMATED DRIVING SYSTEM IS NOT
17 ENGAGED.

18 ~~33.~~ 37. "Golf cart" means a motor vehicle that has not less than
19 three wheels in contact with the ground, that has an unladen weight of
20 less than one thousand eight hundred pounds, that is designed to be and is
21 operated at not more than twenty-five miles per hour and that is designed
22 to carry not more than four persons including the driver.

23 ~~34.~~ 38. "Hazardous material" means a material, and its mixtures or
24 solutions, that the United States department of transportation determines
25 under 49 Code of Federal Regulations is, or any quantity of a material
26 listed as a select agent or toxin under 42 Code of Federal Regulations
27 part 73 that is, capable of posing an unreasonable risk to health, safety
28 and property if transported in commerce and that is required to be
29 placarded or marked as required by the department's safety rules
30 prescribed pursuant to chapter 14 of this title.

31 39. "HUMAN DRIVER" MEANS A NATURAL PERSON IN THE VEHICLE WHO
32 PERFORMS IN REAL TIME ALL OR PART OF THE DYNAMIC DRIVING TASK OR ACHIEVES
33 A MINIMAL RISK CONDITION FOR THE VEHICLE.

34 ~~35.~~ 40. "Implement of husbandry" means a vehicle that is designed
35 primarily for agricultural purposes and that is used exclusively in the
36 conduct of agricultural operations, including an implement or vehicle
37 whether self-propelled or otherwise that meets both of the following
38 conditions:

39 (a) Is used solely for agricultural purposes including the
40 preparation or harvesting of cotton, alfalfa, grains and other farm crops.

41 (b) Is only incidentally operated or moved on a highway whether as
42 a trailer or self-propelled unit. For the purposes of this subdivision,
43 "incidentally operated or moved on a highway" means travel between a farm
44 and another part of the same farm, from one farm to another farm or
45 between a farm and a place of repair, supply or storage.

1 ~~36-~~ 41. "Limousine" means a motor vehicle providing prearranged
2 ground transportation service for an individual passenger, or a group of
3 passengers, that is arranged in advance or is operated on a regular route
4 or between specified points and includes ground transportation under a
5 contract or agreement for services that includes a fixed rate or time and
6 is provided in a motor vehicle with a seating capacity not exceeding
7 fifteen passengers including the driver.

8 ~~37-~~ 42. "Livery vehicle" means a motor vehicle that:
9 (a) Has a seating capacity not exceeding fifteen passengers
10 including the driver.

11 (b) Provides passenger services for a fare determined by a flat
12 rate or flat hourly rate between geographic zones or within a geographic
13 area.

14 (c) Is available for hire on an exclusive or shared ride basis.

15 (d) May do any of the following:

16 (i) Operate on a regular route or between specified places.

17 (ii) Offer prearranged ground transportation service as defined in
18 section 28-141.

19 (iii) Offer on demand ground transportation service pursuant to a
20 contract with a public airport, licensed business entity or organization.

21 ~~38-~~ 43. "Local authority" means any county, municipal or other
22 local board or body exercising jurisdiction over highways under the
23 constitution and laws of this state.

24 ~~39-~~ 44. "Manufacturer" means a person engaged in the business of
25 manufacturing motor vehicles, trailers or semitrailers.

26 45. "MINIMAL RISK CONDITION":

27 (a) MEANS A CONDITION TO WHICH A HUMAN DRIVER OR AN AUTOMATED
28 DRIVING SYSTEM MAY BRING A VEHICLE IN ORDER TO REDUCE THE RISK OF A CRASH
29 WHEN A GIVEN TRIP CANNOT OR SHOULD NOT BE COMPLETED.

30 (b) INCLUDES BRINGING THE VEHICLE TO A COMPLETE STOP.

31 ~~40-~~ 46. "Moped" means a bicycle, not including an electric
32 bicycle, an electric miniature scooter or an electric standup scooter,
33 that is equipped with a helper motor if the vehicle has a maximum piston
34 displacement of fifty cubic centimeters or less, a brake horsepower of one
35 and one-half or less and a maximum speed of twenty-five miles per hour or
36 less on a flat surface with less than a one percent grade.

37 ~~41-~~ 47. "Motorcycle" means a motor vehicle that has a seat or
38 saddle for the use of the rider and that is designed to travel on not more
39 than three wheels in contact with the ground but excludes a tractor, an
40 electric bicycle, an electric miniature scooter, an electric standup
41 scooter and a moped.

42 ~~42-~~ 48. "Motor driven cycle" means a motorcycle, including every
43 motor scooter, with a motor that produces not more than five horsepower
44 but does not include an electric bicycle, an electric miniature scooter or
45 an electric standup scooter.

1 ~~43.~~ 49. "Motorized quadricycle" means a self-propelled motor
2 vehicle to which all of the following apply:

3 (a) The vehicle is self-propelled by an emission-free electric
4 motor and may include pedals operated by the passengers.

5 (b) The vehicle has at least four wheels in contact with the
6 ground.

7 (c) The vehicle seats at least eight passengers, including the
8 driver.

9 (d) The vehicle is operable on a flat surface using solely the
10 electric motor without assistance from the pedals or passengers.

11 (e) The vehicle is a commercial motor vehicle as defined in section
12 28-5201.

13 (f) The vehicle is a limousine operating under a vehicle for hire
14 company permit issued pursuant to section 28-9503.

15 (g) The vehicle is manufactured by a motor vehicle manufacturer
16 that is licensed pursuant to chapter 10 of this title.

17 (h) The vehicle complies with the definition and standards for
18 low-speed vehicles set forth in federal motor vehicle safety standard 500
19 and 49 Code of Federal Regulations sections 571.3(b) and 571.500,
20 respectively.

21 ~~44.~~ 50. "Motor vehicle":

22 (a) Means either:

23 (i) A self-propelled vehicle.

24 (ii) For the purposes of the laws relating to the imposition of a
25 tax on motor vehicle fuel, a vehicle that is operated on the highways of
26 this state and that is propelled by the use of motor vehicle fuel.

27 (b) Does not include a scrap vehicle, a personal delivery device, a
28 personal mobile cargo carrying device, a motorized wheelchair, an electric
29 personal assistive mobility device, an electric bicycle, an electric
30 miniature scooter, an electric standup scooter or a motorized skateboard.
31 For the purposes of this subdivision:

32 (i) "Motorized skateboard" means a self-propelled device that does
33 not have handlebars and that has a motor, a deck on which a person may
34 ride and at least two tandem wheels in contact with the ground.

35 (ii) "Motorized wheelchair" means a self-propelled wheelchair that
36 is used by a person for mobility.

37 ~~45.~~ 51. "Motor vehicle fuel" includes all products that are
38 commonly or commercially known or sold as gasoline, including casinghead
39 gasoline, natural gasoline and all flammable liquids, and that are
40 composed of a mixture of selected hydrocarbons expressly manufactured and
41 blended for the purpose of effectively and efficiently operating internal
42 combustion engines. Motor vehicle fuel does not include inflammable
43 liquids that are specifically manufactured for racing motor vehicles and
44 that are distributed for and used by racing motor vehicles at a racetrack,
45 use fuel as defined in section 28-5601, aviation fuel, fuel for jet or

1 turbine powered aircraft or the mixture created at the interface of two
2 different substances being transported through a pipeline, commonly known
3 as transmix.

4 ~~46.~~ 52. "Neighborhood electric vehicle" means a self-propelled
5 electrically powered motor vehicle to which all of the following apply:

6 (a) The vehicle is emission free.

7 (b) The vehicle has at least four wheels in contact with the
8 ground.

9 (c) The vehicle complies with the definition and standards for
10 low-speed vehicles set forth in federal motor vehicle safety standard 500
11 and 49 Code of Federal Regulations sections 571.3(b) and 571.500,
12 respectively.

13 ~~47.~~ 53. "Nonresident" means a person who is not a resident of this
14 state as defined in section 28-2001.

15 ~~48.~~ 54. "Off-road recreational motor vehicle" means a motor
16 vehicle that is designed primarily for recreational nonhighway all-terrain
17 travel and that is not operated on a public highway. Off-road
18 recreational motor vehicle does not mean a motor vehicle used for
19 construction, building trade, mining or agricultural purposes.

20 55. "OPERATIONAL DESIGN DOMAIN":

21 (a) MEANS OPERATING CONDITIONS UNDER WHICH A GIVEN AUTOMATED
22 DRIVING SYSTEM IS SPECIFICALLY DESIGNED TO FUNCTION.

23 (b) INCLUDES ROADWAY TYPES, SPEED RANGE, ENVIRONMENTAL CONDITIONS,
24 SUCH AS WEATHER OR TIME OF DAY, AND OTHER DOMAIN CONSTRAINTS.

25 ~~49.~~ 56. "Operator" means a person who drives a motor vehicle on a
26 highway, who is in actual physical control of a motor vehicle on a highway
27 or who is exercising control over or steering a vehicle being towed by a
28 motor vehicle.

29 ~~50.~~ 57. "Owner" means:

30 (a) A person who holds the legal title of a vehicle.

31 (b) If a vehicle is the subject of an agreement for the conditional
32 sale or lease with the right of purchase on performance of the conditions
33 stated in the agreement and with an immediate right of possession vested
34 in the conditional vendee or lessee, the conditional vendee or lessee.

35 (c) If a mortgagor of a vehicle is entitled to possession of the
36 vehicle, the mortgagor.

37 ~~51.~~ 58. "Pedestrian" means any person afoot. A person who uses an
38 electric personal assistive mobility device or a manual or motorized
39 wheelchair is considered a pedestrian unless the manual wheelchair
40 qualifies as a bicycle. For the purposes of this paragraph, "motorized
41 wheelchair" means a self-propelled wheelchair that is used by a person for
42 mobility.

1 ~~52.~~ 59. "Personal delivery device":

2 (a) Means a device that is both of the following:

3 (i) Manufactured for transporting cargo and goods in an area
4 described in section 28-1225.

5 (ii) ~~is~~ Equipped with automated driving technology, including
6 software and hardware, that enables the operation of the device with the
7 remote support and supervision of a human.

8 (b) Does not include a personal mobile cargo carrying device.

9 ~~53.~~ 60. "Personal mobile cargo carrying device" means an
10 electronically powered device that:

11 (a) Is operated primarily on sidewalks and within crosswalks and
12 that is designed to transport property.

13 (b) Weighs less than eighty pounds, excluding cargo.

14 (c) Operates at a maximum speed of twelve miles per hour.

15 (d) Is equipped with technology to transport personal property with
16 the active monitoring of a property owner and that is primarily designed
17 to remain within twenty-five feet of the property owner.

18 (e) Is equipped with a braking system that when active or engaged
19 enables the personal mobile cargo carrying device to come to a controlled
20 stop.

21 ~~54.~~ 61. "Power sweeper" means an implement, with or without motive
22 power, that is only incidentally operated or moved on a street or highway
23 and that is designed for the removal of debris, dirt, gravel, litter or
24 sand whether by broom, vacuum or regenerative air system from asphaltic
25 concrete or cement concrete surfaces, including parking lots, highways,
26 streets and warehouses, and a vehicle on which the implement is
27 permanently mounted.

28 ~~55.~~ 62. "Public transit" means the transportation of passengers on
29 scheduled routes by means of a conveyance on an individual passenger
30 fare-paying basis excluding transportation by a sightseeing bus, school
31 bus or taxi or a vehicle not operated on a scheduled route basis.

32 ~~56.~~ 63. "Reconstructed vehicle" means a vehicle that has been
33 assembled or constructed largely by means of essential parts, new or used,
34 derived from vehicles or makes of vehicles of various names, models and
35 types or that, if originally otherwise constructed, has been materially
36 altered by the removal of essential parts or by the addition or
37 substitution of essential parts, new or used, derived from other vehicles
38 or makes of vehicles. For the purposes of this paragraph, "essential
39 parts" means integral and body parts, the removal, alteration or
40 substitution of which will tend to conceal the identity or substantially
41 alter the appearance of the vehicle.

42 ~~57.~~ 64. "Residence district" means the territory contiguous to and
43 including a highway not comprising a business district if the property on
44 the highway for a distance of three hundred feet or more is in the main
45 improved with residences or residences and buildings in use for business.

1 ~~58.~~ 65. "Right-of-way" when used within the context of the
2 regulation of the movement of traffic on a highway means the privilege of
3 the immediate use of the highway. Right-of-way when used within the
4 context of the real property on which transportation facilities and
5 appurtenances to the facilities are constructed or maintained means the
6 lands or interest in lands within the right-of-way boundaries.

7 66. "SAE J3016" MEANS SURFACE TRANSPORTATION RECOMMENDED PRACTICE
8 J3016 TAXONOMY AND DEFINITIONS FOR TERMS RELATED TO DRIVING AUTOMATION
9 SYSTEMS FOR ON-ROAD MOTOR VEHICLES PUBLISHED BY SAE INTERNATIONAL IN JUNE
10 2018.

11 ~~59.~~ 67. "School bus" means a motor vehicle that is designed for
12 carrying more than ten passengers and that is either:

13 (a) Owned by any public or governmental agency or other institution
14 and operated for the transportation of children to or from home or school
15 on a regularly scheduled basis.

16 (b) Privately owned and operated for compensation for the
17 transportation of children to or from home or school on a regularly
18 scheduled basis.

19 ~~60.~~ 68. "Scrap metal dealer" has the same meaning prescribed in
20 section 44-1641.

21 ~~61.~~ 69. "Scrap vehicle" has the same meaning prescribed in section
22 44-1641.

23 ~~62.~~ 70. "Semitrailer" means a vehicle that is with or without
24 motive power, other than a pole trailer or single-axle tow dolly, that is
25 designed for carrying persons or property and for being drawn by a motor
26 vehicle and that is constructed so that some part of its weight and that
27 of its load rests on or is carried by another vehicle. For the purposes
28 of this paragraph, "pole trailer" has the same meaning prescribed in
29 section 28-601.

30 ~~63.~~ 71. "Single-axle tow dolly" means a nonvehicle device that is
31 drawn by a motor vehicle, that is designed and used exclusively to
32 transport another motor vehicle and on which the front or rear wheels of
33 the drawn motor vehicle are mounted on the tow dolly while the other
34 wheels of the drawn motor vehicle remain in contact with the ground.

35 ~~64.~~ 72. "State" means a state of the United States and the
36 District of Columbia.

37 ~~65.~~ 73. "State highway" means a state route or portion of a state
38 route that is accepted and designated by the board as a state highway and
39 that is maintained by the state.

40 ~~66.~~ 74. "State route" means a right-of-way whether actually used
41 as a highway or not that is designated by the board as a location for the
42 construction of a state highway.

43 ~~67.~~ 75. "Street" or "highway" means the entire width between the
44 boundary lines of every way if a part of the way is open to the use of the
45 public for purposes of vehicular travel.

1 ~~68.~~ 76. "Taxi" means a motor vehicle that has a seating capacity
2 not exceeding fifteen passengers, including the driver, that provides
3 passenger services and that:

4 (a) Does not primarily operate on a regular route or between
5 specified places.

6 (b) Offers local transportation for a fare determined on the basis
7 of the distance traveled or prearranged ground transportation service as
8 defined in section 28-141 for a predetermined fare.

9 ~~69.~~ 77. "Title transfer form" means a paper or an electronic form
10 that is prescribed by the department for the purpose of transferring a
11 certificate of title from one owner to another owner.

12 ~~70.~~ 78. "Traffic survival school" means a school that offers
13 educational sessions to drivers who are required to attend and
14 successfully complete educational sessions pursuant to this title that are
15 designed to improve the safety and habits of drivers and that are approved
16 by the department.

17 ~~71.~~ 79. "Trailer" means a vehicle that is with or without motive
18 power, other than a pole trailer or single-axle tow dolly, that is
19 designed for carrying persons or property and for being drawn by a motor
20 vehicle and that is constructed so that no part of its weight rests on the
21 towing vehicle. A semitrailer equipped with an auxiliary front axle
22 commonly known as a dolly is deemed to be a trailer. For the purposes of
23 this paragraph, "pole trailer" has the same meaning prescribed in section
24 28-601.

25 ~~72.~~ 80. "Transportation network company" has the same meaning
26 prescribed in section 28-9551.

27 ~~73.~~ 81. "Transportation network company vehicle" has the same
28 meaning prescribed in section 28-9551.

29 ~~74.~~ 82. "Transportation network service" has the same meaning
30 prescribed in section 28-9551.

31 ~~75.~~ 83. "Truck" means a motor vehicle designed or used primarily
32 for the carrying of property other than the effects of the driver or
33 passengers and includes a motor vehicle to which has been added a box, a
34 platform or other equipment for such carrying.

35 ~~76.~~ 84. "Truck tractor" means a motor vehicle that is designed and
36 used primarily for drawing other vehicles and that is not constructed to
37 carry a load other than a part of the weight of the vehicle and load
38 drawn.

39 ~~77.~~ 85. "Vehicle":

40 (a) Means a device in, on or by which a person or property is or
41 may be transported or drawn on a public highway.

42 (b) Does not include:

43 (i) Electric bicycles, electric miniature scooters, electric
44 standup scooters and devices moved by human power.

45 (ii) Devices used exclusively on stationary rails or tracks.

1 (iii) Personal delivery devices.

2 (iv) Scrap vehicles.

3 (v) Personal mobile cargo carrying devices.

4 ~~78.~~ 86. "Vehicle transporter" means either:

5 (a) A truck tractor capable of carrying a load and drawing a
6 semitrailer.

7 (b) A truck tractor with a stinger-steered fifth wheel capable of
8 carrying a load and drawing a semitrailer or a truck tractor with a dolly
9 mounted fifth wheel that is securely fastened to the truck tractor at two
10 or more points and that is capable of carrying a load and drawing a
11 semitrailer.

12 Sec. 2. Section 28-661, Arizona Revised Statutes, is amended to
13 read:

14 28-661. Accidents involving death or physical injuries; fully
15 autonomous vehicles operating without a human
16 driver; failure to stop; violation; classification;
17 driver license revocation; restricted privilege to
18 drive; alcohol or other drug screening

19 A. The driver of a vehicle involved in an accident resulting in
20 injury to or death of a person shall:

21 1. Immediately stop the vehicle at the scene of the accident or as
22 close to the accident scene as possible but shall immediately return to
23 the accident scene.

24 2. Remain at the scene of the accident until the driver has
25 fulfilled the requirements of section 28-663.

26 B. IF THE VEHICLE DESCRIBED IN SUBSECTION A OF THIS SECTION IS A
27 FULLY AUTONOMOUS VEHICLE OPERATING WITHOUT A HUMAN DRIVER, THE
28 REQUIREMENTS OF THIS SECTION ARE SATISFIED IF THE FULLY AUTONOMOUS VEHICLE
29 STOPS AT THE SCENE OF THE ACCIDENT OR AS CLOSE TO THE ACCIDENT SCENE AS
30 POSSIBLE AND REMAINS STOPPED AT THAT LOCATION UNTIL THE REQUIREMENTS OF
31 SECTION 28-663 HAVE BEEN SATISFIED.

32 ~~B.~~ C. A driver who is involved in an accident resulting in death
33 or serious physical injury as defined in section 13-105 and who fails to
34 stop or to comply with the requirements of section 28-663 is guilty of a
35 class 3 felony, except that if a driver caused the accident the driver is
36 guilty of a class 2 felony.

37 ~~C.~~ D. A driver who is involved in an accident resulting in an
38 injury other than death or serious physical injury as defined in section
39 13-105 and who fails to stop or to comply with the requirements of section
40 28-663 is guilty of a class 5 felony.

41 ~~D.~~ E. The sentence imposed on a person for a conviction under this
42 section shall run consecutively to any sentence imposed on the person for
43 other convictions on any other charge related to the accident.

1 ~~F.~~ F. The department shall revoke the license or permit to drive
2 and any nonresident operating privilege of a person convicted pursuant to
3 subsection ~~B~~ C of this section as follows:

4 1. For an accident resulting in serious physical injury, five
5 years, not including any time that the person is incarcerated.

6 2. For an accident resulting in death, ten years, not including any
7 time that the person is incarcerated.

8 ~~F.~~ G. Five or more years after the revocation period has begun
9 pursuant to subsection ~~F~~ F, paragraph 2 of this section, not including
10 any time that the person is incarcerated, a person may apply to the
11 department for a restricted privilege to drive. The department may issue
12 a restricted privilege to drive as described in section 28-144 if the
13 department finds both of the following:

14 1. The person is not convicted of any offense involving the
15 operation of a motor vehicle while the person's driving privilege is
16 revoked.

17 2. The person has paid full restitution as ordered by the court.

18 ~~G.~~ H. The department shall revoke the license or permit to drive
19 and any nonresident operating privilege of a person convicted pursuant to
20 subsection ~~E~~ D of this section for three years.

21 ~~H.~~ I. If the court finds by a preponderance of the evidence that
22 the person's use of intoxicating liquor, any drug listed in section
23 13-3401, a vapor releasing substance containing a toxic substance or any
24 combination of liquor, drugs or vapor releasing substances was a
25 contributing factor to the accident, the court shall order the person to
26 complete alcohol or other drug screening.

27 Sec. 3. Section 28-662, Arizona Revised Statutes, is amended to
28 read:

29 28-662. Accidents involving damage to vehicle; failure to
30 stop; fully autonomous vehicle operating without a
31 human driver; violation; classification; driver
32 license suspension; alcohol or other drug screening

33 A. The driver of a vehicle involved in an accident resulting only
34 in damage to a vehicle that is driven or attended by a person shall:

35 1. Immediately stop the vehicle at the scene of the accident or as
36 close to the accident scene as possible but shall immediately return to
37 the accident scene.

38 2. Remain at the scene of the accident until the driver has
39 fulfilled the requirements of section 28-663.

40 3. Make the stop without obstructing traffic more than is
41 necessary.

42 B. IF THE FIRST VEHICLE DESCRIBED IN SUBSECTION A OF THIS SECTION
43 IS A FULLY AUTONOMOUS VEHICLE OPERATING WITHOUT A HUMAN DRIVER, THE
44 REQUIREMENTS OF THIS SECTION ARE SATISFIED IF THE FULLY AUTONOMOUS
45 VEHICLE:

1 1. IMMEDIATELY STOPS AT THE SCENE OF THE ACCIDENT OR AS CLOSE TO
2 THE ACCIDENT SCENE AS POSSIBLE.

3 2. REMAINS STOPPED AT OR AS CLOSE AS POSSIBLE TO THE SCENE UNTIL
4 THE REQUIREMENTS OF SECTION 28-663 HAVE BEEN SATISFIED.

5 3. MAKES THE STOP WITHOUT OBSTRUCTING TRAFFIC MORE THAN NECESSARY.

6 ~~B.~~ C. A person failing to stop or comply with this section is
7 guilty of a class 2 misdemeanor.

8 ~~C.~~ D. A court may order the department to suspend the license or
9 permit to drive and any nonresident operating privilege of a person
10 convicted under this section for one year. If reasonable suspicion exists
11 to believe that the person's use of intoxicating liquor, any drug listed
12 in section 13-3401, a vapor releasing substance containing a toxic
13 substance or any combination of liquor, drugs or vapor releasing
14 substances was a contributing factor to the accident, the department may
15 require the person to complete alcohol or other drug screening as a
16 condition of license reinstatement.

17 Sec. 4. Section 28-663, Arizona Revised Statutes, is amended to
18 read:

19 28-663. Duty to give information and assistance; fully
20 autonomous vehicles operating without a human
21 driver; violation; classification; alcohol or other
22 drug screening

23 A. The driver of a vehicle involved in an accident resulting in
24 injury to or death of a person or damage to a vehicle that is driven or
25 attended by a person shall:

26 1. Give the driver's name and address and the registration number
27 of the vehicle the driver is driving.

28 2. On request, exhibit the person's driver license to the person
29 struck or the driver or occupants of or person attending a vehicle
30 collided with.

31 3. Render reasonable assistance to a person injured in the
32 accident, including making arrangements for the carrying of the person to
33 a physician, surgeon or hospital for medical or surgical treatment if it
34 is apparent that treatment is necessary or if the carrying is requested by
35 the injured person.

36 B. IF THE FIRST VEHICLE DESCRIBED IN SUBSECTION A OF THIS SECTION
37 IS A FULLY AUTONOMOUS VEHICLE OPERATING WITHOUT A HUMAN DRIVER, THE
38 REQUIREMENTS OF THIS SECTION ARE SATISFIED IF BOTH:

39 1. THE VEHICLE OWNER OR A PERSON ON BEHALF OF THE VEHICLE OWNER
40 PROMPTLY CONTACTS A LAW ENFORCEMENT AGENCY TO REPORT THE ACCIDENT OR IF
41 THE FULLY AUTONOMOUS VEHICLE ALERTS A LAW ENFORCEMENT AGENCY TO THE
42 ACCIDENT.

43 2. THE VEHICLE OWNER, A PERSON ON BEHALF OF THE VEHICLE OWNER OR
44 THE FULLY AUTONOMOUS VEHICLE MAKES THE OWNER'S NAME AND ADDRESS AND THE
45 REGISTRATION NUMBER OF THE VEHICLE AVAILABLE TO EITHER:

1 (a) A PERSON STRUCK BY THE VEHICLE.

2 (b) THE OCCUPANTS OF OR A PERSON ATTENDING A VEHICLE THAT IS
3 INVOLVED IN THE ACCIDENT.

4 ~~B.~~ C. A person who fails to comply with subsection A, paragraph 1
5 or 2 of this section is guilty of a class 3 misdemeanor.

6 ~~C.~~ D. A person who fails to comply with subsection A, paragraph 3
7 of this section is guilty of a class 6 felony. If the court finds by a
8 preponderance of the evidence that the person's use of intoxicating
9 liquor, any drug listed in section 13-3401, a vapor releasing substance
10 containing a toxic substance or any combination of liquor, drugs or vapor
11 releasing substances was a contributing factor to the accident, the court
12 shall order the person to complete alcohol or other drug screening.

13 Sec. 5. Section 28-664, Arizona Revised Statutes, is amended to
14 read:

15 28-664. Duty on striking unattended vehicle; fully autonomous
16 vehicle operating without a human driver;
17 violation; classification

18 A. The driver of a vehicle that collides with a vehicle that is
19 unattended shall immediately:

- 20 1. Stop.
21 2. Either:

22 (a) Locate and notify the operator or owner of the vehicle of the
23 name and address of the driver and owner of the vehicle striking the
24 unattended vehicle.

25 (b) In a conspicuous place in the vehicle struck, leave a written
26 notice giving the name and address of the driver and of the owner of the
27 vehicle doing the striking.

28 B. IF THE FIRST VEHICLE DESCRIBED IN SUBSECTION A OF THIS SECTION
29 IS A FULLY AUTONOMOUS VEHICLE OPERATING WITHOUT A HUMAN DRIVER, THE
30 REQUIREMENTS OF THIS SECTION ARE SATISFIED IF THE FULLY AUTONOMOUS VEHICLE
31 IMMEDIATELY STOPS AND THE VEHICLE OWNER OR A PERSON ON BEHALF OF THE
32 VEHICLE OWNER PROVIDES THE NOTICE PRESCRIBED IN SUBSECTION A, PARAGRAPH 2
33 OF THIS SECTION.

34 ~~B.~~ C. A person who violates this section is guilty of a class 3
35 misdemeanor.

36 Sec. 6. Section 28-665, Arizona Revised Statutes, is amended to
37 read:

38 28-665. Striking fixtures on a highway; fully autonomous
39 vehicle operating without a human driver;
40 violation; classification

41 A. The driver of a vehicle involved in an accident resulting only
42 in damage to fixtures or other property legally on or adjacent to a
43 highway shall:

- 44 1. Take reasonable steps to locate and notify the owner or person
45 in charge of the property of:

- 1 (a) The fact of the accident.
- 2 (b) The driver's name and address.
- 3 (c) The registration number of the vehicle the driver is driving.
- 4 2. On request, exhibit the driver's driver license.

5 B. IF THE VEHICLE DESCRIBED IN SUBSECTION A OF THIS SECTION IS A
6 FULLY AUTONOMOUS VEHICLE OPERATING WITHOUT A HUMAN DRIVER, THE
7 REQUIREMENTS OF THIS SECTION ARE SATISFIED IF THE VEHICLE OWNER OR A
8 PERSON ON BEHALF OF THE VEHICLE OWNER TAKES REASONABLE STEPS TO NOTIFY THE
9 OWNER OR PERSON IN CHARGE OF THE PROPERTY OF ALL OF THE FOLLOWING:

- 10 1. THE FACT OF THE ACCIDENT.
- 11 2. THE VEHICLE OWNER'S NAME AND ADDRESS.
- 12 3. THE VEHICLE'S REGISTRATION NUMBER.

13 ~~B.~~ C. A person who violates this section is guilty of a class 3
14 misdemeanor.

15 Sec. 7. Section 28-666, Arizona Revised Statutes, is amended to
16 read:

17 28-666. Notice of vehicle accident; fully autonomous vehicle
18 operating without a human driver

19 A. The driver of a vehicle involved in an accident resulting in
20 injury to or death of a person shall give notice of the accident
21 immediately by the quickest means of communication, whether oral or
22 written, to either:

- 23 1. The local police department if the accident occurs within a
24 municipality.
- 25 2. The office of the county sheriff.
- 26 3. The nearest office of the highway patrol.

27 B. IF THE VEHICLE DESCRIBED IN SUBSECTION A OF THIS SECTION IS A
28 FULLY AUTONOMOUS VEHICLE OPERATING WITHOUT A HUMAN DRIVER, THE NOTICE
29 DESCRIBED IN THIS SECTION MAY BE PROVIDED BY THE VEHICLE OWNER OR A PERSON
30 ON BEHALF OF THE VEHICLE OWNER.

31 Sec. 8. Section 28-907, Arizona Revised Statutes, is amended to
32 read:

33 28-907. Child restraint system; civil penalty; exemptions;
34 notice; child restraint fund; definitions

35 A. Except as provided in subsection H of this section, a person
36 shall not operate a motor vehicle on the highways in this state when
37 transporting a child who is under five years of age unless that child is
38 properly secured in a child restraint system.

39 B. The operator of a motor vehicle that is designed for carrying
40 ten or fewer passengers, that is manufactured for the model year 1972 and
41 thereafter and that is required to be equipped with an integrated lap and
42 shoulder belt or a lap belt pursuant to the federal motor vehicle safety
43 standards prescribed in 49 Code of Federal Regulations section 571.208
44 shall require each passenger who is at least five years of age, who is

1 under eight years of age and who is not more than four feet nine inches
2 tall to be restrained in a child restraint system.

3 C. The department shall adopt standards in accordance with 49 Code
4 of Federal Regulations section 571.213 for the performance, design and
5 installation of child restraint systems for use in motor vehicles as
6 prescribed in this section.

7 D. A person who violates this section is subject to a civil penalty
8 of ~~fifty dollars~~ \$50, except that a civil penalty shall not be imposed if
9 the person makes a sufficient showing that the motor vehicle has been
10 subsequently equipped with a child restraint system that meets the
11 standards adopted pursuant to subsection C of this section. A sufficient
12 showing may include a receipt mailed to the appropriate court officer that
13 evidences purchase or acquisition of a child restraint system. The court
14 imposing and collecting the civil penalty shall deposit, pursuant to
15 sections 35-146 and 35-147, the monies, exclusive of any surcharges
16 imposed pursuant to sections 12-116.01 and 12-116.02, in the child
17 restraint fund.

18 E. If a law enforcement officer stops a vehicle for an apparent
19 violation of this section, the officer shall determine from the driver the
20 age and height of the child or children in the vehicle to assess whether
21 the child or children in the vehicle should be in child restraint systems.

22 F. If the information given to the officer indicates that a
23 violation of this section has not been committed, the officer shall not
24 detain the vehicle any further unless some additional violation is
25 involved. The stopping of a vehicle for an apparent or actual violation of
26 this section is not probable cause for the search or seizure of the
27 vehicle unless there is probable cause for another violation of law.

28 G. The requirements of this section or evidence of a violation of
29 this section are not admissible as evidence in a judicial proceeding
30 except in a judicial proceeding for a violation of this section.

31 H. This section does not apply to any of the following:

32 1. A person who operates a motor vehicle that was originally
33 manufactured without passenger restraint devices.

34 2. A person who operates a motor vehicle that is also a
35 recreational vehicle as defined in section 41-4001.

36 3. A person who operates a commercial motor vehicle and who holds a
37 current commercial driver license issued pursuant to chapter 8 of this
38 title.

39 4. A person who must transport a child in an emergency to obtain
40 necessary medical care.

41 5. A person who operates an authorized emergency vehicle that is
42 transporting a child for medical care.

43 6. A person who transports more than one child under eight years of
44 age in a motor vehicle that because of the restricted size of the

1 passenger area does not provide sufficient area for the required number of
2 child restraint systems, if both of the following conditions are met:

3 (a) At least one child is restrained or seated as required by this
4 section.

5 (b) The person has secured as many of the other children in child
6 restraint systems pursuant to this section as is reasonable given the
7 restricted size of the passenger area and the number of passengers being
8 transported in the motor vehicle.

9 I. Before the release of any newly born child from a hospital, the
10 hospital in conjunction with the attending physician shall provide the
11 parents of the child with a copy of this section and information with
12 regard to the availability of loaner or rental programs for child
13 restraint systems that may be available in the community where the child
14 is born.

15 J. A child restraint fund is established. The fund consists of all
16 civil penalties deposited pursuant to this section and any monies donated
17 by the public. The department of child safety shall administer the fund.

18 K. The department of child safety shall purchase child restraint
19 systems that meet the requirements of this section from monies deposited
20 in the fund. If a responsible agency requests child restraint systems and
21 if they are available, the department of child safety shall distribute
22 child restraint systems to the requesting responsible agency.

23 L. On the application of a person to a responsible agency on a
24 finding by the responsible agency to which the application was made that
25 the applicant is unable to acquire a child restraint system because the
26 person is indigent and subject to availability, the responsible agency
27 shall lend the applicant a child restraint system at no charge for as long
28 as the applicant has a need to transport a child who is subject to this
29 section.

30 M. Monies in the child restraint fund shall not exceed twenty
31 thousand dollars. All monies collected over the ~~twenty thousand dollar~~
32 \$20,000 limit shall be deposited in the Arizona highway user revenue fund
33 established by section 28-6533.

34 N. THE PARENT OR GUARDIAN OF A CHILD OR OTHER ADULT ACCOMPANYING A
35 CHILD IN THE VEHICLE MAY BE ISSUED A CITATION FOR A VIOLATION OF
36 SUBSECTION A OF THIS SECTION THAT OCCURS IN A FULLY AUTONOMOUS VEHICLE
37 OPERATING WITH THE AUTOMATED DRIVING SYSTEM ENGAGED.

38 ~~N.~~ O. For the purposes of this section:

39 1. "Child restraint system" means an add-on child restraint system,
40 a built-in child restraint system, a factory-installed built-in child
41 restraint system, a rear-facing child restraint system or a booster seat
42 as defined in 49 Code of Federal Regulations section 571.213.

43 2. "Indigent" means a person who is defined as an eligible person
44 pursuant to section 36-2901.01.

1 3. "Responsible agency" means a licensed hospital, a public or
2 private agency providing shelter services to victims of domestic violence,
3 a public or private agency providing shelter services to homeless families
4 or a health clinic.

5 Sec. 9. Section 28-909, Arizona Revised Statutes, is amended to
6 read:

7 28-909. Vehicle restraints required; exceptions; civil
8 penalty

9 A. Each front seat occupant of a motor vehicle that is designed for
10 carrying ten or fewer passengers, that is manufactured for the model year
11 1972 and thereafter and that is required to be equipped with an integrated
12 lap and shoulder belt or a lap belt pursuant to the federal motor vehicle
13 safety standards prescribed in 49 Code of Federal Regulations section
14 571.208 shall either:

15 1. Have the lap and shoulder belt properly adjusted and fastened
16 while the vehicle is in motion.

17 2. If only a lap belt is installed where the occupant is sitting,
18 have the lap belt properly adjusted and fastened while the vehicle is in
19 motion.

20 B. The operator of a motor vehicle that is designed for carrying
21 ten or fewer passengers, that is manufactured for the model year 1972 and
22 thereafter and that is required to be equipped with an integrated lap and
23 shoulder belt or a lap belt pursuant to the federal motor vehicle safety
24 standards prescribed in 49 Code of Federal Regulations section 571.208
25 shall require each passenger under sixteen years of age to either:

26 1. Have the lap and shoulder belt properly adjusted and fastened
27 while the vehicle is in motion.

28 2. If only a lap belt is installed where the passenger is sitting,
29 have the lap belt properly adjusted and fastened while the vehicle is in
30 motion.

31 C. A peace officer shall not stop or issue a citation to a person
32 operating a motor vehicle on a highway in this state for a violation of
33 this section unless the peace officer has reasonable cause to believe
34 there is another alleged violation of a motor vehicle law of this state.

35 D. If a person is found responsible for a civil traffic violation
36 under this section, a department or agency of this state shall not
37 consider the violation for the purpose of determining whether the person's
38 driver license should be suspended or revoked. A court shall not transmit
39 abstracts of records of violations of this section to the department.

40 E. An insurer shall not consider a civil traffic violation under
41 this section as a traffic violation against the person for the purposes of
42 establishing rates for motor vehicle liability insurance or determining
43 the insurability of the person. An insurer shall not cancel or refuse to
44 renew any policy of insurance because of the violation.

1 F. This section does not apply to:

2 1. A child subject to the requirements of section 28-907.

3 2. A person possessing a written statement from a physician or a
4 registered nurse practitioner that the person is unable for medical or
5 psychological reasons to wear a lap and shoulder belt or a lap belt.

6 3. A letter carrier of the United States postal service while the
7 letter carrier is performing the letter carrier's duties.

8 G. If a person is found responsible for a civil traffic violation
9 under this section, the person is subject to a maximum civil penalty of
10 ~~ten dollars~~ \$10 for each violation.

11 H. THE PARENT OR GUARDIAN OF A PASSENGER UNDER SIXTEEN YEARS OF AGE
12 OR OTHER ADULT ACCOMPANYING THE PASSENGER UNDER SIXTEEN YEARS OF AGE MAY
13 BE ISSUED A CITATION FOR A VIOLATION OF SUBSECTION B OF THIS SECTION THAT
14 OCCURS IN A FULLY AUTONOMOUS VEHICLE OPERATING WITH THE AUTOMATED DRIVING
15 SYSTEM ENGAGED.

16 Sec. 10. Section 28-941, Arizona Revised Statutes, is amended to
17 read:

18 28-941. Multiple beam road lighting equipment arrangement

19 Except as otherwise provided in this article, the ~~head lamps~~
20 HEADLAMPS, the auxiliary driving lamp or the auxiliary passing lamp or
21 combinations of the ~~head lamps~~ HEADLAMPS, driving lamp or passing lamp on
22 a motor vehicle other than a motor driven cycle shall be arranged so that
23 selection may be made between distributions of light projected to
24 different elevations, subject to the following requirements and
25 limitations:

26 1. There shall be an uppermost distribution of light, or composite
27 beam, so aimed and of sufficient intensity to reveal persons and vehicles
28 at a distance of at least three hundred fifty feet ahead for all
29 conditions of loading.

30 2. There shall be a lowermost distribution of light, or composite
31 beam, so aimed and of sufficient intensity to reveal persons and vehicles
32 at a distance of at least one hundred feet ahead, and under any condition
33 of loading, none of the high intensity portion of the beam shall be
34 directed to strike the eyes of an approaching driver.

35 3. A new motor vehicle, other than a motor driven cycle OR A FULLY
36 AUTONOMOUS VEHICLE INCAPABLE OF OPERATION BY A HUMAN DRIVER, that is
37 registered in this state and that has multiple beam road lighting
38 equipment shall be equipped with a beam indicator that is:

39 (a) Lighted when the uppermost distribution of light from the ~~head~~
40 ~~lamps~~ HEADLAMPS is in use and not otherwise lighted.

41 (b) Designed and located so that when lighted it is readily visible
42 without glare to the driver of the vehicle.

43 4. A person shall not operate a motor vehicle with a colored
44 transparent or translucent substance or material installed, affixed or
45 applied on or in front of the ~~head lamps~~ HEADLAMPS, the auxiliary driving

1 lamp or the auxiliary passing lamp or combinations of the ~~head lamps~~
2 HEADLAMPS, driving lamp or passing lamp that would obstruct, reduce or
3 interfere with the visibility or effectiveness of the ~~head lamps~~ HEADLAMPS
4 or that would change the color of light emitted. This paragraph does not
5 prohibit the placement of clear transparent material mounted in front of
6 the ~~head lamps~~ HEADLAMPS, fog lamps or auxiliary driving lamps.

7 Sec. 11. Section 28-956, Arizona Revised Statutes, is amended to
8 read:

9 28-956. Mirrors; exception

10 A motor vehicle that is constructed or loaded in a manner that
11 obstructs the driver's view to the rear of the vehicle from the driver's
12 position shall be equipped with two mirrors located in a manner to reflect
13 to the driver a view of the highway for a distance of at least two hundred
14 feet to the rear of the vehicle. THIS SECTION DOES NOT APPLY TO A FULLY
15 AUTONOMOUS VEHICLE THAT IS INCAPABLE OF OPERATION BY A HUMAN DRIVER.

16 Sec. 12. Section 28-957, Arizona Revised Statutes, is amended to
17 read:

18 28-957. Windshield wipers required; exceptions

19 A. The windshield on a motor vehicle shall be equipped with a device
20 for cleaning rain, snow or other moisture from the windshield. The device
21 shall be constructed in a manner to be controlled or operated by the
22 driver of the vehicle.

23 B. A windshield wiper on a motor vehicle shall be maintained in
24 good working order.

25 C. This section does not apply to a golf cart OR A FULLY AUTONOMOUS
26 VEHICLE THAT IS INCAPABLE OF OPERATION BY A HUMAN DRIVER.

27 Sec. 13. Section 28-957.01, Arizona Revised Statutes, is amended to
28 read:

29 28-957.01. Windshields required

30 A. The following vehicles shall be equipped with an adequate
31 windshield:

32 1. A passenger vehicle, except a motorcycle, an all-terrain vehicle
33 and a golf cart manufactured or modified before June 17, 1998.

34 2. A motor truck or truck tractor, except fire trucks, fire engines
35 or other fire apparatus, whether publicly or privately owned.

36 B. This section does not apply to ANY OF THE FOLLOWING:

37 1. An implement of husbandry. ~~or to~~

38 2. An antique, classic or horseless carriage automobile if it was
39 not originally equipped with a windshield.

40 3. A FULLY AUTONOMOUS VEHICLE THAT IS INCAPABLE OF OPERATION BY A
41 HUMAN DRIVER.

1 Sec. 14. Section 28-966, Arizona Revised Statutes, is amended to
2 read:

3 28-966. Neighborhood electric vehicles; motorized
4 quadricycles; speed; restrictions; exception

5 A. A neighborhood electric vehicle shall not be operated at a speed
6 of more than twenty-five miles per hour. A motorized quadricycle shall
7 not be operated at a speed of more than fifteen miles per hour.

8 B. A neighborhood electric vehicle and a motorized quadricycle
9 shall not be driven on a highway that has a posted speed limit of more
10 than thirty-five miles per hour. This subsection does not prohibit a
11 neighborhood electric vehicle or a motorized quadricycle from crossing a
12 highway that has a posted speed limit of more than thirty-five miles per
13 hour at an intersection.

14 C. A neighborhood electric vehicle and a motorized quadricycle
15 shall have a notice of the operational restrictions applying to the
16 vehicle permanently attached to or painted on the vehicle in a location
17 that is in clear view of the driver. **THIS SUBSECTION DOES NOT APPLY TO A**
18 **FULLY AUTONOMOUS VEHICLE THAT IS INCAPABLE OF OPERATION BY A HUMAN DRIVER.**

19 Sec. 15. Section 28-2157, Arizona Revised Statutes, is amended to
20 read:

21 28-2157. Application for registration; exception

22 A. A person shall apply to the department for registration of a
23 motor vehicle, trailer or semitrailer on forms prescribed or authorized by
24 the department.

25 B. The application shall contain:

26 1. The name and complete residence address of the owner.

27 2. A description of the vehicle, including the serial number.

28 3. If it is a new vehicle, the date of sale by the manufacturer or
29 dealer to the person first operating the vehicle.

30 4. If the owner of the vehicle rents or intends to rent the vehicle
31 without a driver, a statement of that fact.

32 5. Other facts required by the department.

33 C. The registering officer shall indicate on the face of the
34 registration application that the registrant may be subject to vehicle
35 emissions testing requirements pursuant to section 49-542.

36 D. On request of an applicant, the department shall allow the
37 applicant to provide on the registration of a motor vehicle, trailer or
38 semitrailer a post office box address that is regularly used by the
39 applicant and that is located in the county in which the applicant
40 resides.

41 E. The person shall include with the application the required fees
42 and the certificate of title to the vehicle for which registration is
43 sought. The registering officer may waive the requirement that the
44 applicant present a certificate of title at the time of making an

1 application for renewal if the registering officer has available complete
2 and sufficient records to accurately compute the vehicle license tax.

3 F. The department may request an applicant who appears in person to
4 register a motor vehicle, trailer or semitrailer to satisfactorily
5 complete the vision screening test prescribed by the department.

6 G. A person applying for initial registration of a neighborhood
7 electric vehicle or a motorized quadricycle shall certify in writing that
8 a notice of the operational restrictions applying to the vehicle as
9 provided in section 28-966 are contained on a permanent notice attached to
10 or painted on the vehicle in a location that is in clear view of the
11 driver. THIS SUBSECTION DOES NOT APPLY TO A FULLY AUTONOMOUS VEHICLE THAT
12 IS INCAPABLE OF OPERATION BY A HUMAN DRIVER.

13 Sec. 16. Section 28-3315, Arizona Revised Statutes, is amended to
14 read:

15 28-3315. Period of suspension, revocation or
16 disqualification; unlicensed drivers; definitions

17 A. The department shall not suspend, revoke or disqualify a driver
18 license or privilege to drive a motor vehicle on the public highways for
19 more than one year from the date of a conviction or judgment, if any,
20 against a person for which this chapter makes revocation, suspension or
21 disqualification mandatory or from the date the notice is sent pursuant to
22 section 28-3318 if no conviction was involved, except as permitted under
23 subsection E of this section and sections 28-3312, 28-3319 and 28-3320.

24 B. A person whose license or privilege to drive a motor vehicle on
25 the public highways has been revoked may apply for reinstatement of the
26 person's license as provided by law after the cause of the revocation is
27 removed or after expiration of the revocation period prescribed by law.
28 The department may reinstate the person's driver license after the
29 department reviews an applicant's driving record in this state or another
30 state or other sufficient evidence to determine that:

- 31 1. All withdrawal actions are complete.
- 32 2. The applicant has not been convicted of or found responsible for
33 any traffic violations within twelve months preceding application.
- 34 3. All other statutory requirements are satisfied.

35 C. The department shall not accept an application for reinstatement
36 of a driver license until after the twelve month period prescribed in
37 subsection B of this section has elapsed.

38 D. If the department reinstates a person's driver license or
39 driving privilege for a revocation that is related to alcohol or other
40 drugs, the department may accept an evaluation that was performed within
41 the previous twelve months from a physician, a psychologist, a physician
42 assistant, a registered nurse practitioner or a substance abuse counselor
43 indicating that, in the opinion of the physician, psychologist, physician
44 assistant, registered nurse practitioner or substance abuse counselor, the
45 condition does not affect or impair the person's ability to safely operate

1 a motor vehicle. For the purposes of reinstating a license or driving
2 privilege pursuant to this article, the department may rely on the opinion
3 of a physician, a psychologist, a physician assistant, a registered nurse
4 practitioner or a substance abuse counselor.

5 E. Notwithstanding subsections A and B of this section:

6 1. A person whose license or privilege to drive is revoked pursuant
7 to section 28-3304, subsection A, paragraph 1 or 11 is not entitled to
8 have the person's license or privilege renewed or restored for three
9 years.

10 2. A person whose license or privilege to drive is revoked pursuant
11 to section 13-1209 is not entitled to have the person's license or
12 privilege renewed or restored for the period of time ordered by the court.

13 3. If a license, permit or privilege to drive is revoked pursuant
14 to section 28-661, subsection ~~F~~ F the license, permit or privilege may
15 not be renewed or restored except as prescribed by section 28-661,
16 subsections ~~F~~ F and ~~F~~ G.

17 4. A person whose license, permit or privilege to drive is revoked
18 pursuant to section 28-661, subsection ~~H~~ H is not entitled to have the
19 person's license, permit or privilege renewed or restored for three years.

20 F. If an unlicensed driver commits an offense for which a driver
21 license could be suspended, revoked or disqualified, the department shall
22 not accept the unlicensed driver's application for a driver license for a
23 period equal to the period of time that applies to a driver with a
24 license. If the offense is one for which a driver license could be
25 revoked, the department shall not accept the unlicensed driver's
26 application for a driver license unless ~~it~~ THE APPLICATION includes an
27 evaluation from a physician, psychologist, physician assistant, registered
28 nurse practitioner or substance abuse counselor on the habits and driving
29 ability of the person and ~~that~~ the evaluator is satisfied that it is safe
30 to grant the privilege of driving a motor vehicle on the public highways.

31 G. The expiration of a person's license during the period of time
32 it is under suspension, revocation or disqualification does not invalidate
33 or terminate the suspension, revocation or disqualification.

34 H. A person whose license or privilege to drive a motor vehicle on
35 the public highways has been suspended pursuant to section 28-3306,
36 subsection A, paragraph 5 or section 28-3314 may apply for a new license
37 as provided by law after the cause for suspension is removed or after
38 expiration of the suspension period prescribed by law if both of the
39 following conditions are met:

40 1. The department is satisfied, after reviewing the medical
41 condition and driving ability of the person, that it is safe to grant the
42 person the privilege of driving a motor vehicle on the public highways.

43 2. If the person has a medical condition related to alcohol or
44 other drugs, the department may accept an evaluation form from a
45 physician, a psychologist, a physician assistant, a registered nurse

1 practitioner or a substance abuse counselor indicating that, in the
2 opinion of the physician, psychologist, physician assistant, registered
3 nurse practitioner or substance abuse counselor, the condition does not
4 affect or impair the person's ability to operate a motor vehicle in a safe
5 manner.

6 I. For the purposes of this section:

7 1. "Physician" means a physician who is licensed pursuant to title
8 32, chapter 13, 17 or 29.

9 2. "Physician assistant" means a physician assistant who is
10 licensed pursuant to title 32, chapter 25.

11 3. "Psychologist" means a psychologist who is licensed pursuant to
12 title 32, chapter 19.1.

13 4. "Registered nurse practitioner" means a registered nurse
14 practitioner who is licensed pursuant to title 32, chapter 15.

15 5. "Substance abuse counselor" has the same meaning prescribed in
16 section 28-3005.

17 Sec. 17. Title 28, Arizona Revised Statutes, is amended by adding
18 chapter 31, to read:

19 CHAPTER 31. AUTONOMOUS VEHICLES

20 ARTICLE 1. GENERAL PROVISIONS

21 28-9601. Definitions

22 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

23 1. "ON-DEMAND AUTONOMOUS VEHICLE NETWORK" MEANS A PASSENGER
24 TRANSPORTATION NETWORK THAT USES A DIGITAL NETWORK OR SOFTWARE APPLICATION
25 TO CONNECT PASSENGERS TO FULLY AUTONOMOUS VEHICLES FOR TRANSPORTATION,
26 EXCLUSIVELY OR IN ADDITION TO OTHER VEHICLES, INCLUDING TRANSPORTATION FOR
27 HIRE AND TRANSPORTATION FOR COMPENSATION.

28 2. "REQUEST TO INTERVENE" MEANS A NOTIFICATION BY AN AUTOMATED
29 DRIVING SYSTEM TO A HUMAN DRIVER THAT THE HUMAN DRIVER SHOULD PROMPTLY
30 BEGIN OR RESUME PERFORMANCE OF PART OR ALL OF THE DYNAMIC DRIVING TASK.

31 28-9602. Operation of autonomous vehicles

32 A. EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER, THE OPERATION OF
33 AUTONOMOUS VEHICLES WITH OR WITHOUT A HUMAN DRIVER IS SUBJECT TO ALL
34 APPLICABLE FEDERAL AND STATE LAWS.

35 B. A PERSON MAY OPERATE AN AUTONOMOUS VEHICLE WITH THE AUTOMATED
36 DRIVING SYSTEM ENGAGED ON PUBLIC ROADS IN THIS STATE WITH A LICENSED HUMAN
37 DRIVER WHO IS ABLE TO RESUME PART OR ALL OF THE DYNAMIC DRIVING TASK OR
38 RESPOND TO A REQUEST TO INTERVENE, IF ANY.

39 C. A FULLY AUTONOMOUS VEHICLE MAY OPERATE ON PUBLIC ROADS WITHOUT A
40 HUMAN DRIVER ONLY IF A PERSON SUBMITS BOTH:

41 1. A LAW ENFORCEMENT INTERACTION PLAN TO THE DEPARTMENT OF
42 TRANSPORTATION AND THE DEPARTMENT OF PUBLIC SAFETY THAT IS CONSISTENT WITH
43 AND ADDRESSES ALL OF THE ELEMENTS IN THE LAW ENFORCEMENT PROTOCOL THAT WAS
44 ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY ON MAY 14, 2018, BEFORE

1 BEGINNING THE OPERATION OR IF THE OPERATION HAS ALREADY BEGUN, WITHIN
2 SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

3 2. A WRITTEN STATEMENT TO THE DEPARTMENT OF TRANSPORTATION
4 ACKNOWLEDGING ALL OF THE FOLLOWING:

5 (a) WHEN REQUIRED BY FEDERAL LAW, THE FULLY AUTONOMOUS VEHICLE IS
6 EQUIPPED WITH AN AUTOMATED DRIVING SYSTEM THAT IS IN COMPLIANCE WITH ALL
7 APPLICABLE FEDERAL LAWS AND FEDERAL MOTOR VEHICLE SAFETY STANDARDS AND
8 BEARS THE REQUIRED CERTIFICATION LABELS INCLUDING REFERENCE TO ANY
9 EXEMPTION GRANTED BY THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
10 UNDER APPLICABLE FEDERAL LAW.

11 (b) IF A FAILURE OF THE AUTOMATED DRIVING SYSTEM OCCURS THAT
12 RENDERS THAT SYSTEM UNABLE TO PERFORM THE ENTIRE DYNAMIC DRIVING TASK
13 RELEVANT TO ITS INTENDED OPERATIONAL DESIGN DOMAIN, THE FULLY AUTONOMOUS
14 VEHICLE WILL ACHIEVE A MINIMAL RISK CONDITION.

15 (c) THE FULLY AUTONOMOUS VEHICLE IS CAPABLE OF COMPLYING WITH ALL
16 APPLICABLE TRAFFIC AND MOTOR VEHICLE SAFETY LAWS OF THIS STATE AND THE
17 PERSON WHO SUBMITS THE WRITTEN STATEMENT FOR THE FULLY AUTONOMOUS VEHICLE
18 MAY BE ISSUED A TRAFFIC CITATION OR OTHER APPLICABLE PENALTY IF THE
19 VEHICLE FAILS TO COMPLY WITH TRAFFIC OR MOTOR VEHICLE LAWS.

20 (d) THE FULLY AUTONOMOUS VEHICLE MEETS ALL APPLICABLE CERTIFICATE
21 OF TITLE, REGISTRATION, LICENSING AND INSURANCE REQUIREMENTS OF THIS
22 TITLE.

23 D. IF A PERSON FAILS TO SUBMIT A LAW ENFORCEMENT INTERACTION PLAN
24 OR STATEMENT PRESCRIBED BY SUBSECTION C OF THIS SECTION, THE DEPARTMENT
25 MAY IMMEDIATELY ISSUE A CEASE AND DESIST LETTER PROHIBITING THE OPERATION
26 OF A FULLY AUTONOMOUS VEHICLE ON PUBLIC ROADS OF THIS STATE UNTIL THE
27 PERSON SUBMITS THE LAW ENFORCEMENT INTERACTION PLAN AND STATEMENT.

28 E. WHEN ENGAGED, THE AUTOMATED DRIVING SYSTEM IS CONSIDERED THE
29 DRIVER OR OPERATOR OF THE AUTONOMOUS VEHICLE FOR THE PURPOSE OF ASSESSING
30 COMPLIANCE WITH APPLICABLE TRAFFIC OR MOTOR VEHICLE LAWS AND IS BOTH:

31 1. DEEMED TO SATISFY ELECTRONICALLY ALL PHYSICAL ACTS REQUIRED BY A
32 DRIVER OR OPERATOR OF THE VEHICLE.

33 2. EXEMPT FROM THE REQUIREMENTS OF CHAPTER 8 OF THIS TITLE.

34 F. NOTWITHSTANDING ANY OTHER LAW, A LICENSED HUMAN DRIVER IS NOT
35 REQUIRED TO OPERATE A FULLY AUTONOMOUS VEHICLE THAT IS OPERATED IN
36 COMPLIANCE WITH THIS CHAPTER.

37 G. THIS CHAPTER DOES NOT PROHIBIT OR RESTRICT A LICENSED HUMAN
38 DRIVER FROM DRIVING A FULLY AUTONOMOUS VEHICLE EQUIPPED WITH CONTROLS THAT
39 ALLOW FOR THE HUMAN DRIVER TO CONTROL ALL OR PART OF THE DYNAMIC DRIVING
40 TASK.

41 28-9603. Department of public safety; law enforcement
42 protocols; law enforcement interaction plan

43 THE DEPARTMENT OF PUBLIC SAFETY, IN COORDINATION WITH OTHER RELEVANT
44 LAW ENFORCEMENT AGENCIES, SHALL MAINTAIN A LAW ENFORCEMENT PROTOCOL FOR
45 FULLY AUTONOMOUS VEHICLES. THE PROTOCOL SHALL INCLUDE GUIDELINES FOR

1 PERSONS WHO OPERATE FULLY AUTONOMOUS VEHICLES TO PROVIDE INFORMATION TO
2 LAW ENFORCEMENT AGENCIES AND OTHER FIRST RESPONDERS ON HOW TO INTERACT
3 WITH FULLY AUTONOMOUS VEHICLES IN EMERGENCY AND TRAFFIC ENFORCEMENT
4 SITUATIONS, INCLUDING HOW TO PROVIDE CONTACT INFORMATION FOR INSURANCE AND
5 CITATION PURPOSES AND ANY OTHER INFORMATION NEEDED TO ENSURE THE SAFE
6 OPERATION OF FULLY AUTONOMOUS VEHICLES IN THIS STATE. THE DEPARTMENT OF
7 PUBLIC SAFETY MAY ISSUE A REVISED LAW ENFORCEMENT PROTOCOL AFTER PROVIDING
8 ADVANCE NOTICE TO AND AN OPPORTUNITY FOR COMMENT FROM PERSONS THAT HAVE
9 SUBMITTED STATEMENTS PURSUANT TO SECTION 28-9602, SUBSECTION C, PARAGRAPH
10 2.

11 28-9604. On-demand autonomous vehicle networks

12 AN ON-DEMAND AUTONOMOUS VEHICLE NETWORK MAY OPERATE PURSUANT TO
13 CHAPTER 30, ARTICLE 3 OF THIS TITLE EXCEPT THAT ANY PROVISION OF CHAPTER
14 30, ARTICLE 3 OF THIS TITLE THAT BY ITS NATURE REASONABLY APPLIES ONLY TO
15 A HUMAN DRIVER DOES NOT APPLY TO A FULLY AUTONOMOUS VEHICLE OPERATING WITH
16 THE AUTOMATED DRIVING SYSTEM ENGAGED WHILE LOGGED ON TO AN ON-DEMAND
17 AUTONOMOUS VEHICLE NETWORK.

18 28-9605. Commercial motor vehicles

19 A FULLY AUTONOMOUS VEHICLE THAT IS ALSO A COMMERCIAL MOTOR VEHICLE
20 AS DEFINED IN SECTION 28-5201 MAY OPERATE PURSUANT TO STATE LAWS GOVERNING
21 THE OPERATION OF COMMERCIAL MOTOR VEHICLES, EXCEPT THAT ANY PROVISION THAT
22 BY ITS NATURE REASONABLY APPLIES ONLY TO A HUMAN DRIVER DOES NOT APPLY TO
23 A FULLY AUTONOMOUS COMMERCIAL MOTOR VEHICLE OPERATING WITH THE AUTOMATED
24 DRIVING SYSTEM ENGAGED.

25 28-9606. Autonomous vehicles; fees prohibited; exceptions;
26 enforcement

27 A. A COUNTY, CITY OR TOWN MAY NOT IMPOSE ANY TAX, FEE, FOR-HIRE
28 VEHICLE REQUIREMENT OR OTHER REQUIREMENT ON AUTOMATED DRIVING SYSTEMS OR
29 AUTONOMOUS VEHICLES OR ON A PERSON WHO OPERATES AN AUTONOMOUS VEHICLE,
30 INCLUDING A PERSON WHO OPERATES AN AUTONOMOUS VEHICLE FOR PURPOSES OF
31 PROVIDING PASSENGER TRANSPORTATION, FREIGHT TRANSPORTATION, GOODS DELIVERY
32 SERVICES OR AN ON-DEMAND AUTONOMOUS VEHICLE NETWORK.

33 B. SUBSECTION A OF THIS SECTION DOES NOT PROHIBIT EITHER:

34 1. AN AIRPORT OPERATOR THAT OPERATES A PUBLIC AIRPORT PURSUANT TO
35 SECTION 28-8421, 28-8423 OR 28-8424 OR A PUBLIC BODY OPERATING A PUBLIC
36 AIRPORT FROM CHARGING REASONABLE FEES CONSISTENT WITH ANY FEES CHARGED TO
37 COMPANIES THAT PROVIDE SIMILAR SERVICES AT THAT AIRPORT FOR THEIR USE OF
38 THE AIRPORT'S FACILITIES.

39 2. AN AIRPORT FROM DESIGNATING LOCATIONS FOR STAGING, PICKUP OR
40 OTHER SIMILAR OPERATIONS AT THE AIRPORT.

41 C. THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PUBLIC
42 SAFETY ARE THE ONLY STATE AGENCIES THAT MAY IMPLEMENT OR ENFORCE THIS
43 CHAPTER, EXCEPT THAT NEITHER AGENCY MAY PRESCRIBE PROCEDURES OR RULES THAT
44 ARE UNREASONABLE OR UNDULY BURDENSOME.

1 28-9607. Traffic or motor vehicle laws; autonomous vehicles

2 EXCEPT AS OTHERWISE PROVIDED BY THIS CHAPTER, A TRAFFIC OR MOTOR
3 VEHICLE LAW OF THIS STATE MAY NOT PROHIBIT THE OPERATION OF AN AUTONOMOUS
4 VEHICLE OR REQUIRE A HUMAN DRIVER TO OPERATE A FULLY AUTONOMOUS VEHICLE
5 WITH THE AUTOMATED DRIVING SYSTEM ENGAGED, IF THE FULLY AUTONOMOUS VEHICLE
6 IS OPERATED IN COMPLIANCE WITH THIS CHAPTER.

7 28-9608. Enforcement

8 A. EXCEPT AS PROVIDED IN SECTION 28-9602 AND SUBSECTION G OF THIS
9 SECTION, THIS SECTION PROVIDES THE EXCLUSIVE MEANS BY WHICH THE DEPARTMENT
10 MAY:

11 1. SUSPEND, REVOKE OR CANCEL THE REGISTRATION OF AN AUTONOMOUS
12 VEHICLE FOR REASONS RELATED TO SAFETY.

13 2. OTHERWISE RESTRICT THE OPERATION OF AN AUTONOMOUS VEHICLE FOR
14 REASONS RELATED TO SAFETY.

15 B. IF THE DEPARTMENT HAS INFORMATION, DATA OR OTHER EVIDENCE
16 INDICATING THAT AN AUTONOMOUS VEHICLE IS LIKELY NOT IN SAFE MECHANICAL
17 CONDITION AND LIKELY TO ENDANGER PERSONS ON THE HIGHWAY, THE DEPARTMENT
18 MAY ISSUE A REQUEST FOR RELEVANT INFORMATION TO THE OWNER AND THE PERSON
19 WHO SUBMITTED THE STATEMENT REQUIRED BY SECTION 28-9602 FOR THE AUTONOMOUS
20 VEHICLE.

21 C. THE OWNER OR THE PERSON WHO SUBMITTED THE STATEMENT REQUIRED BY
22 28-9602 SHALL RESPOND TO A REQUEST FOR INFORMATION SUBMITTED UNDER
23 SUBSECTION B OF THIS SECTION WITHIN A REASONABLE TIME SPECIFIED BY THE
24 DEPARTMENT. THE RESPONSE MAY BE IN THE FORM OF DOCUMENTS, A MEETING WITH
25 THE DEPARTMENT, A DEMONSTRATION OR ANY OTHER REASONABLE FORM OR
26 COMBINATION OF FORMS.

27 D. AFTER CONSIDERING AND EVALUATING ALL RESPONSES PROVIDED PURSUANT
28 TO SUBSECTIONS B AND C OF THIS SECTION, IF THE DEPARTMENT DETERMINES BASED
29 ON DATA, INFORMATION OR OTHER EVIDENCE THAT AN AUTONOMOUS VEHICLE IS NOT
30 IN SAFE MECHANICAL CONDITION AND ENDANGERS PERSONS ON THE HIGHWAY, THE
31 DEPARTMENT MAY SEND THE VEHICLE OWNER AND THE PERSON WHO SUBMITTED THE
32 STATEMENT REQUIRED BY SECTION 28-9602 FOR THE AUTONOMOUS VEHICLE A NOTICE
33 OF INTENT TO SUSPEND THE REGISTRATION OR IMPOSE RESTRICTIONS ON THE
34 OPERATION OF THE AUTONOMOUS VEHICLE. THE NOTICE SHALL INCLUDE:

35 1. A DESCRIPTION OF THE DEPARTMENT'S REASONS AND EVIDENCE
36 SUPPORTING THE DETERMINATION.

37 2. A STATEMENT THAT A CERTIFICATION OF CORRECTION OR ADJUSTMENT
38 SHALL BE SUBMITTED WITHIN A SPECIFIED TIME AND THAT THE CERTIFICATION
39 SHALL INCLUDE AN EXPLANATION OF HOW THE ISSUES IDENTIFIED BY THE
40 DEPARTMENT IN THE NOTICE HAVE BEEN ADDRESSED, SUCH AS IDENTIFYING
41 ADJUSTMENTS MADE TO THE AUTOMATED DRIVING SYSTEM OR OPERATIONAL MEASURES
42 IMPLEMENTED.

43 E. IF THE OWNER OR PERSON WHO SUBMITTED THE STATEMENT REQUIRED BY
44 SECTION 28-9602 FOR THE AUTONOMOUS VEHICLE THAT IS THE SUBJECT OF A NOTICE
45 OF INTENT TO SUSPEND OR RESTRICT OPERATION FAILS TO SUBMIT THE

1 CERTIFICATION REQUIRED BY SUBSECTION D OF THIS SECTION WITHIN THE TIME
2 SPECIFIED OR THE DEPARTMENT FINDS THAT THE CERTIFICATION IS NOT TRUE AND
3 ACCURATE, THE DEPARTMENT SHALL NOTIFY THE PERSON AND OWNER THAT THE
4 REGISTRATION FOR THAT AUTONOMOUS VEHICLE HAS BEEN SUSPENDED OR RESTRICTED
5 AS SPECIFIED IN THE NOTICE. IF THE PERSON OR OWNER LATER SUBMITS THE
6 REQUIRED CERTIFICATION, THE DEPARTMENT SHALL REMOVE THE SUSPENSION OR
7 RESTRICTION ON RECEIPT OF THE CERTIFICATION.

8 F. A PERSON WHO DISPUTES THE DEPARTMENT'S FINDING MAY REQUEST A
9 HEARING WITHIN TEN DAYS AFTER THE DATE OF THE NOTICE OF INTENT TO SUSPEND
10 OR RESTRICT OPERATION ISSUED UNDER SUBSECTION D OF THIS SECTION. A
11 HEARING REQUESTED UNDER THIS SUBSECTION SHALL BE HELD NOT MORE THAN SIXTY
12 DAYS AFTER THE SUBMISSION OF A REQUEST FOR A HEARING. A DECISION TO
13 UPHOLD THE DETERMINATION OF THE DEPARTMENT IS SUBJECT TO JUDICIAL REVIEW
14 PURSUANT TO TITLE 12, CHAPTER 7, ARTICLE 6.

15 G. THIS SECTION DOES NOT APPLY TO A VEHICLE THAT IS SUBJECT TO
16 CHAPTER 14 OF THIS TITLE AND DOES NOT AFFECT THE APPLICABILITY OR
17 ENFORCEMENT OF CHAPTER 14 OF THIS TITLE OR FEDERAL LAWS APPLICABLE TO
18 COMMERCIAL MOTOR VEHICLES AS DEFINED IN 28-5201.

APPROVED BY THE GOVERNOR MARCH 24, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 24, 2021.